

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 * * *

4 HAROLD HARDEN,

5 Plaintiff,

6 v.

7 CHRISTINE MONINGOFF and RAFAEL
8 AGUILERA,¹

9 Defendants.

Case No. 2:14-cv-00377-APG-PAL

ORDER DENYING OBJECTION

(ECF No. 185)

10
11 Plaintiff Harold Harden, a prisoner, filed this lawsuit alleging that in April 2012,
12 defendant Christine Moninghoff moved him to the mental health segregation unit at High Desert
13 State Prison (“HDSP”) without prior notice and without his consent. ECF No. 17 at 4. He alleges
14 that once there he was forced to take psychiatric drugs that resulted in an allergic reaction. *Id.* He
15 also alleges that defendant Rafael Aguilera transported him to the mental health segregation unit
16 against his will and without any notice or opportunity to be heard. *Id.*

17 I previously granted summary judgment in the defendants’ favor. ECF No. 167. I also
18 denied several of Harden’s motions for reconsideration and other objections. ECF Nos. 175, 180,
19 184.

20 Harden objects again, this time arguing that an automatic stay under Federal Rule of Civil
21 Procedure 62 somehow grants the court jurisdiction to rule on his prior motions despite the fact
22 that Harden has filed a notice of appeal. Rule 62 has no application here. There was no monetary
23 or injunctive relief granted in the judgment against Harden. *See* ECF Nos. 167, 168. There is
24 nothing to stay. Harden also repeats his arguments that this court has jurisdiction to resolve his
25
26

27
28 ¹ Incorrectly identified in the complaint as Dr. Monninghoff and S/O Agular.

1 objections to my order denying his motion for a new trial. I have already ruled on those
2 arguments, and Harden presents no basis for reconsideration.

3 IT IS THEREFORE ORDERED that plaintiff Harold Harden's objection
4 **(ECF No. 185) is DENIED.**

5 DATED this 28th day of February, 2017.

6 

7 _____
8 ANDREW P. GORDON
9 UNITED STATES DISTRICT JUDGE
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28